

United States District Court

Antenna

DISTRICT OF

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EXHIBIT AND WITNESS LIST

WPA v. DAVID TRACY

CASE NUMBER: 00-62828-400

DEFENDANT'S JUDGE			PLAINTIFF'S ATTORNEY		DEFENDANT'S ATTORNEY	
JURY DATE			JURY REPORTER		COURTROOM DEPUTY	
5/15/00 5/16, 5/17, 5/18			Matthew Mennick Bob Ryckoff		Steven Krueberg Nick Carlini	
FILE NO.	DEF NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES	
✓		5/16/00			CERRY LIAN GREENWELL	
✓		5/16/00			MARK ANTONIO	
✓		5/16/00			MARINCE BRUM	
✓		5/16/00			DEREK ELLISON	
✓		5/17/00			JOHN HUCKE	
✓		5/17/00			MARIE GOLDFSTEIN	
✓		5/17/00			CLARENCE JACKSON	
✓		5/17/00			ROBERT FISHERMAN	
	✓	5/18/00			DANIEL G. TERRY	
See attached list of exhibits						

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

UNITED STATES EXHIBIT LIST

UNITED STATES V. DAVID TRACY
CASE NO. 00-628-CR-DIMITROULEAS
HONORABLE WILLIAM P. DIMITROULEAS, U.S. DISTRICT COURT JUDGE,
MAY 15, 2000

ASSISTANT UNITED STATES ATTORNEY
MATTHEW MENCHEL
TRIAL EXHIBIT LIST

EXHIBIT NUMBER	DESCRIPTION	WITNESS	ADMITTED (Y/N)
1 - 1	Tracy Employment Application	Stipulated	5/16/00
1 - 2 A - F	W - 4s David Tracy 1987 - 1996	Mark Antonio	5/16/00
1 - 3 A - D	W - 2s David Tracy 1993, 1994, 1995, 1996	Mark Antonio	5/16/00
1 - 4	Personnel Report of David Tracy Showing Retirement	Mark Antonio	5/16/00
1 - 5	Payroll Checks 1994	Mark Antonio/Dorothy Ellison	5/16/00
1 - 6	Payroll Checks 1995	Mark Antonio/Dorothy Ellison	5/16/00
1 - 7	Payroll Checks 1996	Mark Antonio	5/16/00
1 - 8	Notice of Levy 9/17/96	Mark Antonio	5/16/00
1 - 9	Memorandum to Tracy re: Notice of Levy	Mark Antonio	5/16/00 (continued)
1 - 10	W-8 Certificate of Foreign Status	Mark Antonio/Mark Goldstein	5/16/00
1 - 11	Affidavit of Tax Exempt Foreign Status	Mark Antonio/Mark Goldstein	5/16/00
1 - 12	Affidavit of Certificate of Exemption from Withholding	Mark Antonio/Mark Goldstein	5/16/00
1 - 13 A, B, C	Affidavit & Letter from David Tracy declaring U.S. Citizenship	Mark Antonio	5/16/00

UNITED STATES EXHIBIT LIST

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MAY 15, 2000

ASSISTANT UNITED STATES ATTORNEY
MATTHEW MENCHEL,
TRIAL EXHIBIT LIST

EXHIBIT NUMBER	DESCRIPTION	WITNESS	ADMITTED (Y/N)
2 - 1	Letter 6/28/96 from Mark Goldstein re: Tracy	Mark Goldstein	5/17/00
2 - 2	Case - <i>Bierman v. IRS</i>	Mark Goldstein	5/17/00
3 - 3	Notice of Deficiency dated 12/15/95	"	5/17/00
3 - 2	Notice to David Tracy dated 5/22/95	Gloria Jackson	5/17/00
3 - 3	Notice to David Tracy dated 6/12/95	Gloria Jackson	"
3 - 4, 3-4-3	Letter to David Tracy dated 6/26/95	Gloria Jackson	" 5/17/00
3 - 5	Notice of Deficiency dated 12/15/95	Gloria Jackson	"
3 - 6	Letter to David Tracy dated 1/31/96	Gloria Jackson	"
3 - 7	Letter to David Tracy dated 4/25/96	Gloria Jackson	"
3 - 8	Notice to David Tracy dated 5/20/96	Gloria Jackson	"
3 - 9	Transcript 1990	Gloria Jackson	5/17/00
3 - 10	Transcript 1991	Gloria Jackson	5/17/00
3 - 11	Transcript 1992	Gloria Jackson	5/17/00
3 - 12	Transcript 1993	Gloria Jackson	5/17/00
3 - 13	Transcript 1994	Gloria Jackson	5/17/00

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TRIAL EXHIBIT LIST

EXHIBIT NUMBER	DESCRIPTION	WITNESS	ADMITTED (Y/N)
3 - 14	Transcript 1995	Gloria Jackson	5/17/00
3 - 15	Transcript 1996	Gloria Jackson	5/17/00
3 - 16	Transcript 1997	Gloria Jackson	N
3 - 17	Transcript 1998	Gloria Jackson	N
3 - 18			
3 - 19			
3 - 20	1991 1040 (tax form)	Gloria Jackson / Gary Van Grondelle	5/16/00
3 - 21	1992 1040 (tax form)	Gloria Jackson	5/17/00
3 - 22	Correspondence sent by David Tracy to IRS Rec'd 7/11/95	Gloria Jackson	Y
3 - 23	Correspondence sent by David Tracy to IRS Rec'd 7/12/95	Gloria Jackson	Y
3 - 24	Correspondence sent by David Tracy to IRS Rec'd 7/18/95	Gloria Jackson	Y
3 - 25	Correspondence sent by David Tracy to IRS Rec'd 7/18/95	Gloria Jackson	Y

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TRIAL EXHIBIT LIST

EXHIBIT NUMBER	DESCRIPTION	WITNESS	ADMITTED (Y/N)
3 - 26	Correspondence sent by David Tracy to IRS Rec'd 8/8/95	Gloria Jackson	5/17/00
3 - 27	Correspondence sent by David Tracy to IRS Rec'd 1/11/96	Gloria Jackson	Y
3 - 28	Correspondence sent by David Tracy to IRS Rec'd 1/12/96 Non-statutory Abatement 12/29/95 Notice of Deficiency	Gloria Jackson	Y
3 - 29	Correspondence sent by David Tracy to IRS Rec'd 2/7/96 Non Statutory Abatement 2/7/96	Gloria Jackson	Y
3 - 30	Correspondence sent by David Tracy to IRS Rec'd 5/7/96 Non Statutory Abatement 4/30/96	Gloria Jackson	Y
3 - 31	Correspondence sent by David Tracy to IRS Rec'd 6/4/96 Non Statutory Abatement 5/21/96	Gloria Jackson	Y
3 - 32	Correspondence sent by David Tracy to IRS Rec'd 6/6/96 Non Statutory Abatement 5/30/96	Gloria Jackson	Y

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TRIAL EXHIBIT LIST

EXHIBIT NUMBER	DESCRIPTION	WITNESS	ADMITTED (Y/N)
3 - 33	Correspondence sent by David Tracy to IRS Rec'd 7/11/96 Non Statutory Abatement 6/18/96	Gloria Jackson	5/17/00
3 - 34	Correspondence sent by David Tracy to IRS Rec'd 7/12/96 Notice to Beverly Stowell of Intent to Sue	Gloria Jackson	"
3 - 35	Correspondence sent by David Tracy to IRS Rec'd 7/12/99 Notice to Kevin McCarthy of Intent to Sue	Gloria Jackson	"
3 - 36	1993 1040 (tax form)	Gloria Jackson	"
3 - 37	Correspondence sent by David Tracy to IRS Rec'd 8/27/97	Gloria Jackson	"
3 - 38	1994 1040 (tax form)	Gloria Jackson	5/17/00
3 - 39	Correspondence sent by David Tracy Rec'd 8/27/97	Gloria Jackson	5/17/00
3 - 40	1995 1040 (tax form)	Gloria Jackson	5/17/00
3 - 41	1996 1040 (tax form)	Gloria Jackson	5/17/00
3 - 42	1997 1040 (tax form)	Gloria Jackson	

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TRIAL EXHIBIT LIST

EXHIBIT NUMBER	DESCRIPTION	WITNESS	ADMITTED (Y/N)
3 - 43	1998 1040 (tax form)	Gloria Jackson	
4 - 1 A B C	July, 1994 Bank Statement, Canceled Check # 3489 for \$1,080.00	Maurice Baum / Manny Rubal	5/16/00
5 - 1	1993 Bank Statements, David & Bonnie Tracy	Manny Rubal <i>Sgt. Rubal</i>	5/17/00
5 - 2	1994 Bank Statements David & Bonnie Tracy	Manny Rubal	
5 - 3	1995 Bank Statements David & Bonnie Tracy	Manny Rubal	

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EXHIBIT NUMBER	DESCRIPTION	WITNESS	ADMITTED (Y/N)
6 - 1 A, B, C	CTR Report 12/1996 5 Cashiers Checks	Dorothy Ellison	5/16/00
7 - 1	Summary Schedule	Robert Fishman	5/17/00
7 - 2	1996 1040 Instruction Booklet	Robert Fishman	
7 - 3	1994 Publication 17	Robert Fishman	
7 - 4	Blank W - 8 Form	Robert Fishman	

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ASSISTANT UNITED STATES ATTORNEY
 MATTHEW MENCHEL
 TRIAL EXHIBIT LIST

EXHIBIT NUMBER	DESCRIPTION	WITNESS	ADMITTED (Y/N)
8-1	David Tracy's Passport Applications	John Hucke	5/17/00
8-1-b	Passport Application Form D-211	"	5/17/00
8-1-c	Receipt	"	5/17/00
9-1	appellee case	Tracy	5/18/00
A		Austin	
B	Notice of Levy (employee copy)	Austin	
8	§ 6361	Austin	
10-1	Blouse of David of Levy	TRAY	5/18/00
10-2	Returns Receipts	"	5/18/00

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